IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2048 OF 2007

Prakash R. Shenai ..Petitioner

Vs.

The State of Maharashtra and ors. ..Respondents

Mr.Prakash Shenai party-in-person present.
Mr. A.S. Shitole, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : November 02, 2007.

P.C.:

1. Heard the petitioner - party-in-person. The petitioner had filed a Criminal Complaint, which was initially registered as C.C. No. 146/S/1994 and it was filed in the year 1993. The same has remained pending as of now and, therefore, this petition for directions for the expeditious disposal of the said complaint pending for the last more than 13 years. On 9/6/2004 similar directions were issued by this court while disposing Criminal Writ Petition No. 819 of 2004 but there was no progress in the trial. As per the petitioner he had also submitted a representation

to the Hon'ble Chief Justice of this Court and administrative instructions were issued directing the 49th Special Metropolitan Magistrate, Vikroli, Mumbai to expedite the trial and complete the same by December, 2007. The complainant has, however, pointed out that the court of 49th Special Metropolitan Magistrate has been lying vacant since 15/5/2006 till this date and, therefore, he prays for transferring this case to the 31st Court of Metropolitan Magistrate at Vikroli, Mumbai.

2. Hence, it is directed that C.C. No. 146/S/1994 along with C.C. No. 217/S/1994, C.C.No.29/C/1996, C.C. No.54/C/1997 and C.C. No.85/C/1999 be transferred to the court of 31st Metropolitan Magistrate, Vikroli, Mumbai and on such transfer the trial of these cases is hereby expedited and in any case the trial of C.C. No.146/S/1994 shall be completed by 31/1/2008 and the trial of the remaining four cases shall be completed preferably by 31/6/2008.

3. The Registrar General is directed to take

appropriate steps so that the Presiding Officer of the 49th Special Metropolitan Magistrate Court, Vikroli, Mumbai is appointed expeditiously and preferably before 31/12/2007.

4. Writ to go the trial court forthwith. Certified copy is expedited and be issued on priority basis.

(B.H. Marlapalle,J.)